

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALLRICH JEAN,	:	CIVIL ACTION
	:	NO. 22-433
Plaintiff	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this **7th** day of **July, 2023**, after considering Defendants' Motion to Dismiss (ECF No. 29) and any responses thereto, and after a hearing on the record, it is hereby **ORDERED** that the motion is **GRANTED** and Counts I and II are **DISMISSED without prejudice** as to the City of Philadelphia, Warden Michele Farrell, Warden Nancy Gianetta, and Commissioner Blanche Carney.

It is further **ORDERED** that Plaintiff may file a second amended complaint or a statement that he plans to stand on his amended complaint by **July 26, 2023**. Failure to act by July 26, 2023 will be deemed a decision by Plaintiff that he wishes to stand on his amended complaint.

If Plaintiff advises the Court that he will stand on his amended complaint or fails to so respond by July 26, 2023, the Court will dismiss the case against the above Defendants with prejudice due to Plaintiff's failure to state a claim upon which relief can be granted.

AND IT IS SO ORDERED.

Eduardo C. Robreno

EDUARDO C. ROBRENO, J.